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MEMO ENDORSED

January 6, 2023

Re: *Perrigo Pharma International Designated Activity Co., v. Mead Johnson & Co. LLC*,
Case No. 23 Civ. 00008

The Honorable Edgardo Ramos
United States District Court for the Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square
New York, NY 10007

Dear Judge Ramos:

We represent Defendant Mead Johnson & Co. LLC ("Defendant") in the above-referenced action. Pursuant to Rule I.A of the Court's Individual Practice Rules, Defendant respectfully submits this letter-motion for permission to file Defendant's Memorandum of Law in Opposition to Plaintiff's Application for a Temporary Restraining Order and Preliminary Injunction (the "Opposition"), the Declaration of Elizabeth Keck in Support of Defendant's Opposition to Plaintiff's Application for a Temporary Restraining Order and Preliminary Injunction (the "Keck Declaration"), and the Declaration of Robert Cleveland in Support of Defendant's Opposition to Plaintiff's Application for a Temporary Restraining Order and Preliminary Injunction (the "Cleveland Declaration") in redacted form and to file the unredacted versions of the same under seal.

The Opposition, the Keck Declaration, and the Cleveland Declaration contain confidential and commercially sensitive business information of both Perrigo Pharma International Designated Activity Co. ("Plaintiff") and Defendant, and both parties would be disadvantaged if this information were to be made publicly available. See, e.g., *In re Parmalat Sec. Litig.*, 258 F.R.D. 236, 244 (S.D.N.Y. 2009) ("Notwithstanding the presumption of public access to judicial records, courts may deny access to records that are 'sources of business information that might harm a litigant's competitive standing.'" (quoting *Nixon v. Warner Commc'ns, Inc.*, 435 U.S. 589, 598 (1978))). The Court previously granted Plaintiff's request to redact information in its Application for a Temporary Restraining Order and Preliminary Injunction and related filings (see ECF No. 18), and Defendant seeks to redact similar information here.

Pursuant to the Court's Individual Practice Rules and the ECF Rules & Instructions for the United States District Court for the Southern District of New York, a complete set of the aforementioned documents, with redactions, is filed herewith on the public docket, and a second complete set of the same, with the redactions highlighted, is filed herewith under seal.

Respectfully yours,

/s/ Andrew Ditchfield

Andrew Ditchfield

cc: All Counsel of Record (via ECF)

The request is granted. Mead Johnson may file its opposition memorandum and supporting documents in redacted form, and it may file the unredacted versions of the same under seal. SO ORDERED.



Edgardo Ramos, U.S.D.J.
Dated: January 9, 2023
New York, New York